

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION**

**JAMES B. HUMPHREY, JR.,** §  
**CHRISTOPHER D. HUMPHREY,** §  
**CHARLES R. CLEVELAND, JR., D.D.S,** §  
**RONALD HUMPHREY,** §  
**CHARLES W. ANDERSON, D.D.S.,** §  
**WILLIAM T. CONE, JR.,** §  
**CHARLES R. CLEVELAND, SR.,** §  
**and** §  
**JULIE CLEVELAND,** §

**Plaintiffs,**

**VS.**

**CIVIL ACTION NO. H-04-2051**

**RAY KRENEK,** §  
**GREAT TEXAS OIL & GAS TRUST,** §  
**WAYNE KNAPPICK,** §  
**K&K TRUST,** §  
**and** §  
**FLORIAN DRYMALA,** §

**Defendants.**

**MEMORANDUM AND ORDER**

Pending before the Court is Defendants' motion for summary judgment, Docket No. 87. The motion was filed fewer than thirty days before the trial date scheduled in this matter, and therefore insufficient time remains for full briefing on the issue. The motion is, therefore, **DENIED AS UNTIMELY FILED.**

**IT IS SO ORDERED.**

**SIGNED** at Houston, Texas, on this the 23rd day of January, 2006.

A handwritten signature in black ink, appearing to read "Keith P. Ellison". The signature is written in a cursive, flowing style with some capitalization.

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KEITH P. ELLISON  
UNITED STATES DISTRICT JUDGE

**TO INSURE PROPER NOTICE, EACH PARTY WHO RECEIVES  
THIS ORDER SHALL FORWARD A COPY OF IT TO EVERY  
OTHER PARTY AND AFFECTED NON-PARTY EVEN THOUGH  
THEY MAY HAVE BEEN SENT ONE BY THE COURT.**